

RESPONSE UNDER 37 C.F.R. § 1.116

EXPEDITED PROCEDURE – Art Unit 2815

Attorney Docket No. 396118012US1

REMARKS

Reconsideration and withdrawal of the rejections set forth in the final Office Action dated July 26, 2004 are respectfully requested.

In that Office Action, the Examiner maintained the rejection arguing that the "choice of using the particular manufacturing process of Teshima may be deemed to be a purposeful act . . ." In response, applicant would like to clarify the claim language. In particular, while it is agreed that the manufacturing of the micro-lenses are indeed purposeful, what is not purposeful in Teshima is the manufacture of micro-lenses that are purposefully larger and or taller in certain regions of the pixel array. To the extent applicant's previous amendments were unclear, applicant's attorney extends his apologies.

Thus, the claims have been amended to state that a "second set of micro-lenses is manufactured to be purposefully larger and/or taller than said first set of micro-lenses." The manufacturing process used in the present claimed invention is intended to result in larger and/or taller micro-lenses in one portion of the array.

In contrast, the Teshima patent does not meet this language of the claims. The Teshima patent does not teach the manufacture of micro-lenses that are purposefully larger and/or taller in certain regions. Indeed, Teshima teaches that this result is unintended. For this reason, the claims as amended are now in condition for allowance.

In view of the foregoing, the claims pending in the application comply with the requirements of 35 U.S.C. § 112 and patentably define over the applied art. A Notice of Allowance is, therefore, respectfully requested. If the Examiner has any questions or believes a telephone conference would expedite prosecution of this application, the Examiner is encouraged to call the undersigned at (206) 359-6488.

RESPONSE UNDER 37 C.F.R. § 1.116

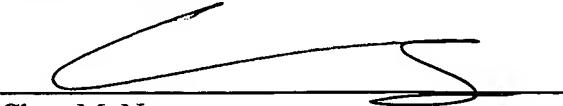
EXPEDITED PROCEDURE – Art Unit 2815

Attorney Docket No. 396118012US1

Respectfully submitted,

Perkins Coie LLP

Date: 8/24/04


Chun M. Ng
Registration No. 36,878

Correspondence Address:

Customer No. 25096
Perkins Coie LLP
P.O. Box 1247
Seattle, Washington 98111-1247
(206) 359-6488